

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, David Krauss, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit to show that probable cause exists to believe that on an exact date unknown, but at least up to and including March 30, 2025, in the Southern District of Ohio, Adiel HERNANDEZ-Orellana violated 8 U.S.C. § 1326(a) & (b)(2) – Illegal Reentry of Removed Aliens.

2. I am a special agent (SA) with Homeland Security Investigations (HSI), and I have been employed with HSI since January 3, 2023. I am assigned to a financial crimes, cyber operations, and public safety group at the HSI Columbus, Ohio Office of the Assistant Special Agent in Charge. I am an “immigration officer” as defined in 8 U.S.C. § 1101(a)(18) and am authorized to investigate and make arrests for violations of the Immigration and Nationality Act (INA). *See* 8 U.S.C. § 1357.

3. I am a graduate of the Criminal Investigator Training Program and the Homeland Security Investigations Special Agent Training program. Prior to my role as a special agent and beginning August 3, 2018, I was employed as a police officer with the City of Springfield, Ohio Division of Police. On December 20, 2021, I was promoted to the rank of police sergeant.

4. I have had formal, on-the-job training, and experience regarding investigating and enforcing provisions of the INA. The information set forth in this affidavit is based upon my knowledge, training, experience, and participation in investigations involving violations of the INA. This information is also based on the knowledge, training, experience, and investigations conducted by fellow law enforcement officers, which have been reported to me either directly or indirectly. Additionally, this information is based on the review of Alien Files, or “A-Files”, which are official government records maintained on every immigrant and some nonimmigrants. Where

the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated. I believe this information to be true and reliable. This affidavit is intended to show merely that there is probable cause for the requested criminal complaint and arrest warrant and does not set forth all my knowledge about this matter. I did not withhold any information or evidence that would negate probable cause.

PROBABLE CAUSE

5. On March 30, 2025, Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) Columbus became aware of Adiel HERNANDEZ-Orellana, a citizen of El Salvador, illegally present in the United States, being incarcerated at the Delaware County, Ohio Jail for outstanding traffic violation warrants. ERO Columbus later lodged an immigration detainer on HERNANDEZ-Orellana.

6. On April 1, 2025, ERO Columbus arrested HERNANDEZ-Orellana at the Delaware County Jail. HERNANDEZ-Orellana was transported to the ERO Columbus office for processing and later transported to the Butler County, Ohio Jail to be detained by ICE. During processing, HERNANDEZ-Orellana's identity was biometrically confirmed via fingerprinting.

IMMIGRATION AND CRIMINAL HISTORY

7. On July 25, 2003, HERNANDEZ-Orellana was arrested by the U.S. Border Patrol after wading across the Rio Grande River near Hidalgo, Texas, and illegally entering the United States without inspection by an immigration officer. HERNANDEZ-Orellana was processed, given a Notice to Appear, and released.

8. On May 18, 2004, HERNANDEZ-Orellana was ordered removed from the United States by an immigration judge.

9. On October 4, 2010, HERNANDEZ-Orellana was convicted of violating Arkansas Code, Title 5, § 5-14-125 – Sexual Assault 2nd Degree, a Class B Felony, in the Circuit Court of Sebastian, Arkansas (court case number CR-2005-1193). The conviction documents specified the victim was 13 years old when the offense occurred. HERNANDEZ-Orellana was sentenced to 84 months in prison with 156 months suspended.

10. The Arkansas crime of Sexual Assault 2nd Degree with a minor victim constitutes an “aggravated felony” within the definition of 8 U.S.C. § 1101(a)(43)(A).

11. On January 13, 2012, HERNANDEZ-Orellana was removed from the United States via an ICE Air flight from New Orleans, Louisiana.

12. According to his A-File, HERNANDEZ-Orellana is a citizen of El Salvador and has no legal status in the United States. HERNANDEZ-Orellana did not receive permission from the United States Attorney General or the United States Department of Homeland Security Secretary for reentry into the United States.

CONCLUSION


13. Based on the facts set forth in this affidavit, there is probable cause to believe that on an exact date unknown, but at least up to and including March 30, 2025, in the Southern District of Ohio, Adiel HERNANDEZ-Orellana violated 8 U.S.C. § 1326(a) & (b)(2).

**DAVID M
KRAUSS**

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Date: 2025.04.10 15:03:24
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David Krauss
Special Agent
Homeland Security Investigations

Subscribed and sworn to me by telephone on this 10th day of April, 2025.


Chelsey M. Vascura
United States Magistrate Judge